

FILED

JUL 29 2013

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

Anthony Ammirato

Debtor.

Case No. 13-25846-B-13J

ORDER DENYING MOTION TO VACATE DISMISSAL

The court is in receipt of the debtor's "Request to Vacate Entry of Order of Dismissal" (the "Motion") (Dkt. 33). Through the Motion, the debtor requests that the court vacate the order entered July 11, 2013 dismissing this case (Dkt. 31).

Because a request to vacate the dismissal of a case is a request for relief against all of the debtor's creditors, it is a contested matter and must be set for a hearing and served on all creditors, the chapter 13 trustee, and the United States trustee. See Fed. R. Bankr. P. 9014; LBR 9014-1(a). The debtor has not set the Motion for a hearing, and has not served it on all interested parties in this case. The court notes that although the debtor previously attempted to set this matter for a hearing on shorted time, that request was denied (Dkt. 41) and, to date, no hearing has been set.

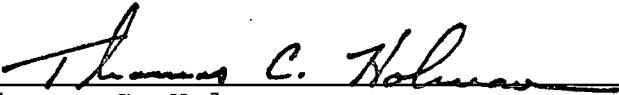
In addition to the procedural deficiencies described above, the Motion is also denied because it sets forth no grounds upon which relief from the Dismissal Order can be granted. Therefore, it is

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ORDERED, that the Motion is DENIED.

Dated: JUL 29 2013

BY THE COURT


Thomas C. Holman
United States Bankruptcy Judge